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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 FELIX CAMACHO,

12 Petitioner,

13 v.

14 ROBERT HERNANDEZ, Warden

15 Respondent.

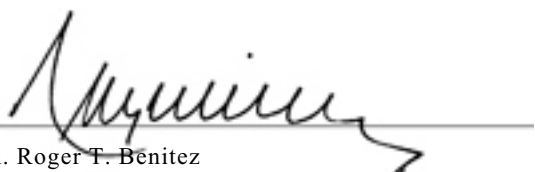
Civil No. 08-0016 BEN (LSP)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE AND WITH
LEAVE TO AMEND**

16 Petitioner, a state prisoner proceeding pro se, has filed a Petition for Writ of Habeas
17 Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has failed to
18 move to proceed in forma pauperis. Because this Court cannot proceed until Petitioner has either
19 paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the Court **DISMISSES** the
20 case without prejudice. *See* Rule 3(a), 28 U.S.C. foll. § 2254. If Petitioner wishes to proceed
21 with this case, he must submit, **no later than March 14, 2008**, a copy of this Order with the
22 \$5.00 fee or with adequate proof of his inability to pay the fee. **THE CLERK OF COURT IS**
23 **DIRECTED TO MAIL PETITIONER A BLANK MOTION TO PROCEED IN FORMA**
24 **PAUPERIS.**

25 **IT IS SO ORDERED.**

26 DATED: January 8, 2008

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Hon. Roger T. Benitez
United States District Judge